

Uniformity Committee Project Description: Uniformity Project Assessment Process

This project would involve development of a process and standards for the Uniformity Committee to use when it is considering whether to undertake a model drafting project.

Problems: Very few states have adopted model statutes and regulations that have been drafted by the Uniformity Committee and approved by the Commission as uniformity recommendations in the past ten years. Barriers to adoption include political opposition. In addition, when states have addressed the subject matter of a uniform model, they are less likely to adopt the model. Currently, the Uniformity Committee does not have a structured process to evaluate whether a suggested drafting process will be adopted by a significant number of states upon completion.

Risks: The Uniformity Committee has limited resources for drafting model statutes and regulations. Those resources may be fully employed on work with a low potential for adoption by the states, and be unavailable for projects with a high potential for adoption.

Issues for review:

- What kind of process would better inform Uniformity Committee members of the potential for adoption of a model statute or regulation on a specific topic before drafting is begun?
- What information would help Uniformity Committee members decide whether a model statute or regulation on a specific topic has high potential for adoption by a significant number of states upon completion?
- How would a “front-end” process affect other parts of the drafting and review process for model statutes and regulations in the Commission’s uniformity recommendation process?

Expected outcomes from the project:

- Description of a process for gathering and considering information related to the potential for adoption of model recommendations on a specific topic before the drafting process begins.
- Description of information to be gathered and considered.
- Standards for approval of a drafting project.
- Description of changes, if needed, in other parts of the uniformity recommendation adoption process.

Who should be involved in the project:

- MTC legal staff
- Uniformity Committee members